

Counsel listed on the following page.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PETER WRIGHT and MICHELLE
TRAME, individually, on behalf of all
others similarly situated, and on behalf of
the general public,

Plaintiffs,

vs.

ADVENTURES ROLLING CROSS
COUNTRY, INC., dba ADVENTURES
CROSS COUNTRY (ARCC), a California
Corporation, SCOTT VON ESCHEN, and
DOES 1 through 50 inclusive,

Defendants.

Case No. 3:12-cv-00982-EMC

Assigned to Judge Edward M Chen

**STIPULATION AND [PROPOSED]
ORDER GRANTING STIPULATION TO
PLAINTIFFS' FILING OF FIRST
AMENDED COMPLAINT**

Initial Complaint Filed: February 17, 2012

1 HIRSCHFELD KRAEMER LLP
2 Reed E. Schaper (SBN 082792)
233 Wilshire Boulevard, Suite 600
3 Santa Monica, CA 90401
Telephone: (310) 255-0705
4 Facsimile: (310) 255-0986
Email: rschaper@hkemploymentlaw.com

5 HIRSCHFELD KRAEMER LLP
6 Kristin L. Oliveira (SBN 204384)
505 Montgomery Street, 13th Floor
7 San Francisco, CA 94111
Telephone: (415) 835-9000
8 Facsimile: (415) 834-0443
Email: koliveira@hkemploymentlaw.com

9 *Attorneys for Defendants*

10
11 BRYAN SCHWARTZ LAW
Bryan Schwartz (SBN 209903)
12 William C. Weeks (SBN 289984)
13 1330 Broadway, Suite 1630
Oakland, CA 94612
Telephone: (510) 444-9300
14 Facsimile: (510) 444-9301
Email: bryan@bryanschwartzlaw.com
15 Email: bill@bryanschwartzlaw.com

16 RUDY, EXELROD, ZIEFF & LOWE, L.L.P.
David A. Lowe (SBN 178811)
17 John T. Mullan (SBN 221149)
351 California Street, Suite 700
18 San Francisco, CA 94104
Telephone: (415) 434-9800
19 Facsimile: (415) 434-0513
Email: dal@rezlaw.com
20 Email: jtm@rezlaw.com

21 *Attorneys for Plaintiffs*

STIPULATION

Plaintiffs Peter Wright and Michelle Trame (“Plaintiffs”) and Defendants Adventures Rolling Cross Country, Inc. (“ARCC”) and Scott Von Eschen (collectively, “Defendants”), by and through the undersigned counsel, hereby stipulate as follows:

WHEREAS, Plaintiffs’ Initial Complaint was filed on February 17, 2012;

WHEREAS, Plaintiffs have informed Defendants that Plaintiffs desire to file a First Amended Complaint (“FAC”) adding a cause of action under the Private Attorneys General Act of 2004, California Labor Code Section 2698, *et seq.*;

WHEREAS, Plaintiffs and Defendants signed Memorandum of Understanding (“MOU”) on August 2, 2013, agreeing to settle this case, and the Parties agreed in the MOU that Plaintiffs would file the instant Amended Complaint contemporaneously with the filing of an Unopposed Motion for Preliminary Approval of Class Action Settlement;

WHEREAS, Plaintiffs have provided Defendants with a redline showing the manner in which the FAC differs from the original complaint (a copy of the redline is attached hereto as Ex. A);

WHEREAS Federal Rule of Civil Procedure 15 states: “[A] party may amend its pleading only with the opposing party’s written consent or the court’s leave”;

WHEREAS Defendants consented in the MOU and hereby consent again in writing to the filing of the FAC;

THEREFORE, it is hereby stipulated and agreed as follows:

Defendants consent to Plaintiffs’ filing of the FAC (attached hereto as Ex. B), and Plaintiffs shall proceed to file the FAC upon execution and filing of this stipulation.

1 Dated: August 16, 2013

BRYAN SCHWARTZ LAW

2
3 /s/ Bryan Schwartz

4 Bryan Schwartz, Bar No. 209903
Attorney for Plaintiffs

5 Dated: August 16, 2013

HIRSCHFELD KRAEMER LLP

6
7 /s/ Reed E. Schaper

8 Reed E. Schaper, Bar No. 082792
Attorney for Defendants

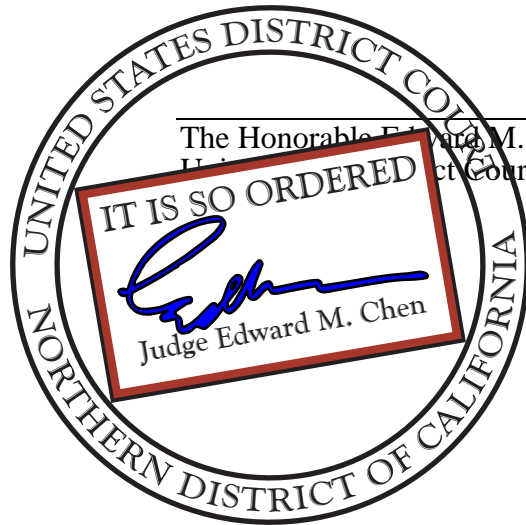
[PROPOSED] ORDER

The Court, having considered the stipulation agreed to by Plaintiffs Peter Wright and Michelle Trame ("Plaintiffs") and Defendants Adventures Rolling Cross Country, Inc. ("ARCC") and Scott von Eschen (collectively, "Defendants") to the filing of a First Amended Complaint, and finding good cause appearing therefore, HEREBY ORDERS AS FOLLOWS:

Plaintiffs are granted leave to file the First Amended Complaint.

IT IS SO ORDERED

Dated: 8/20 2013



The Honorable Edward M. Chen
United States District Court Judge